

**PATENT APPLICATION**  
**FILING UNDER 37 CFR §1.312**  
**EXPEDITED PROCEDURE**  
**TECHNOLOGY CENTER ART UNIT 1657**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

ATTN: OFFICE OF PUBLICATIONS

Josep Vicent MERCADER BADIA et al.

Notice of Allowance Mailed 11/13/2009 -  
Batch/Confirmation No. 6481

Application No.: 10/551,989

Group Art Unit: 1657

Filed: October 4, 2005

Examiner: L. HOBBS

Docket No.: 125291

For: METHOD FOR DETECTING AND/OR IDENTIFYING BACTERIA PRESENT IN A  
SAMPLE

**REQUEST FOR ACKNOWLEDGEMENT OF**  
**RECEIPT OF PRIORITY DOCUMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the November 13, 2009 Notice of Allowability and the December 22, 2009 Telephone Interview with Examiner Hobbs, reconsideration of the statement that priority document FR 0304262 has not been received is respectfully requested in light of the following remarks.

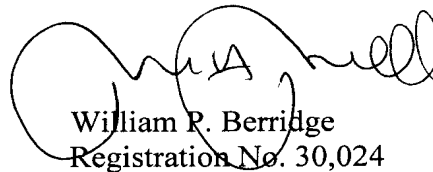
Priority to FR 0304262, filed April 7, 2003, was properly claimed in the October 4, 2005 Application Data Sheet for the above-identified application. Furthermore, as discussed during the telephone interview, attached are three documents generated by the U.S. Patent and Trademark Office that specifically acknowledge receipt of the priority document in this

application. Thus, the November 13, 2009 Notice of Allowability should have acknowledged receipt of the certified copy of the priority document from the International Bureau. For reference purposes, a copy of the foreign priority document is attached.

Accordingly, as agreed upon during the telephone interview, Applicants respectfully request that the U.S. Patent and Trademark Office acknowledge receipt of the priority document by issuing a Supplemental Notice of Allowability that acknowledges Applicants' claim for foreign priority under 35 U.S.C. §119(a)-(d) or (f) and acknowledges receipt of the priority document.

The Examiner is requested to contact the undersigned at the telephone number below if anything further would be desirable in order to issue a Supplemental Notice of Allowability including acknowledgment of the claim for priority and receipt of the certified copy of the priority document.

Respectfully submitted,



William P. Berridge  
Registration No. 30,024

Rodney H. Rothwell, Jr.  
Registration No. 60,728

WPB:RHR/rhr

Attachments:

U.S. National Stage Worksheet  
Notice of Acceptance of Application  
Notification of Missing Requirements  
Copy of priority document FR 0304262

Date: December 23, 2009

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION</p> <p>Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461</p>
--

U.S. NAT

## 2L STAGE WORKSHEET

(EO)

U.S. APPL. NO. 10/551989INTERNATIONAL APPL. FR04/050140APPLICATION FILED BY: 20 MOS. OR 30 MOS. ☒ SCREENED BY

## INTERNATIONAL APPLICATION PAPERS IN THE APPLICATION FILE:

- ☒ International application
- ☒ Article 19 amendments
- ☒ Priority Document(s) No. 1
- ☒ Request Form PCT/RO/101
- ☒ PCT/IB/302
- ☒ PCT/IB/304
- ☒ PCT/IB/306
- ☒ PCT/IB/308
- ☒ PCT/IB/331
- ☒ OTHER PCT/IB/
- ☒ PCT/PEA/409 also 416

- ☐ 409 annexes to IPR
- ☐ PCT/ISA/210 (Search report)
- ☒ Search report References
- ☐ Other Papers filed

WIPO PUBLICATION  
 PUBLICATION NO. WO/04/1092401  
 PUBLICATION DATE 28 OCT 04  
 PUBLICATION LANG. FR  
 NOT PUBLISHED  
☐ U.S. only ☐ Requested

## RECEIVED FROM THE APPLICANT: (other than checked above)

- ☒ International application basic fee paid
- ☒ Priority Processing Requested
- ☒ Translation of the International Application
- ☒ Translation of the IB copy of the IA
- ☒ Description
- ☒ Claims
- ☒ Drawings
- ☒ Foreign Language in drawing
- ☒ Article 19 Amendments
- ☒ Amendment used in application
- ☒ Article 34 Amendment
- ☒ Amendment used in application
- ☒ Transaction done

- ☒ Preliminary Amendment(s) filed 04 OCT 2005
- ☒ second submission
- ☒ Information Disclosure Statement 14 DEC 04
- ☒ second submission
- ☒ Assignment
- ☒ Forward to Assignment Branch
- ☒ Substitute Specification
- ☒ Small Entity Statement
- ☒ type
- ☒ Oath/Declaration (date submitted 04 OCT 2005)
- ☒ Not executed
- ☒ Executed
- ☒ Power of Attorney 14 DEC 04
- ☒ Change of Address

Receipt of Request (PTO - 1399 Transmittal Letter)

Acceptable oath/declaration received

Date

Complete 35 USC 371 requirements met

## DATE NOTICE COMPLETED

203 Notice of Acceptance

205 Notice of Missing Requirements

217 Notice of A defective oath or declaration

216 Notice of defective response

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,989	Bruno Colin	125291

25944  
OLIFF & BERRIDGE, PLC  
P.O. BOX 19928  
ALEXANDRIA, VA 22320

INTERNATIONAL APPLICATION NO.	
PCT/FR04/50140	
I.A. FILING DATE	PRIORITY DATE
04/02/2004	04/07/2003

CONFIRMATION NO. 6481  
371 FORMALITIES LETTER



\*OC000000019981067\*

Date Mailed: 08/11/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/04/2005
- Copy of the International Search Report filed on 10/04/2005
- Preliminary Amendments filed on 10/04/2005
- Information Disclosure Statements filed on 12/14/2005
- Oath or Declaration filed on 10/04/2005
- U.S. Basic National Fees filed on 10/04/2005
- Priority Documents filed on 10/04/2005
- Power of Attorney filed on 12/14/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,989	Bruno Colin	125291
INTERNATIONAL APPLICATION NO.		
PCT/FR04/50140		
I.A. FILING DATE	PRIORITY DATE	
04/02/2004	04/07/2003	

25944  
 OLIFF & BERRIDGE, PLC  
 P.O. BOX 19928  
 ALEXANDRIA, VA 22320

CONFIRMATION NO. 6481

371 ACCEPTANCE LETTER



\*OC000000020912973\*

Date Mailed: 10/25/2006

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>10/04/2005</u>	<u>10/07/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 10/04/2005
- Copy of the International Search Report filed on 10/04/2005
- Preliminary Amendments filed on 10/04/2005
- Information Disclosure Statements filed on 12/14/2005
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- Power of Attorney filed on 12/14/2005
- Specification filed on 10/04/2005
- Claims filed on 10/04/2005